



U.S. Department of Justice

*United States Attorney
Eastern District of Michigan*

Telephone: 313/226-3201

*Federal Building and United States Courthouse
231 W. Lafayette, Eighth Floor
Detroit, Michigan 48226*

May 28, 1981

Philip A. Grashoff, Jr., Esq.
Dahlberg, Mallender & Gawne
1022 Ford Building
Detroit, MI 48226

US EPA RECORDS CENTER REGION 5



Re: United States v. BASF Wyandotte, et al.
Civil Action No. 80-73699

Dear Mr. Grashoff:

Enclosed please find a copy of First Interrogatories of Plaintiff United States To Defendant BASF Wyandotte filed this date in the above-referenced case.

Very truly yours,

RICHARD A. ROSSMAN
United States Attorney

Geneva S. Halliday
Assistant United States Attorney

GSH:mh
Enc.

cc: Joseph Polito, Esq.
Roger Schmidt, Esq.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

BASF WYANDOTTE CORPORATION
and FEDERAL MARINE TERMINALS,
INC.,

Defendants.

CIVIL ACTION NO. 80-73699

HONORABLE RALPH B. GUY, J.

FIRST INTERROGATORIES OF PLAINTIFF
UNITED STATES TO DEFENDANT BASF WYANDOTTE

Plaintiff, United States of America requests that Defendant BASF Wyandotte Corporation answer under oath the following interrogatories pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure.

DEFINITIONS

1. The term "person" as used herein shall mean any individual, proprietorship, corporation, partnership, association, governmental entity or organization, or any other organization of any type.
2. The term "waste" as used herein shall mean any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or any pollution control facility and other discarded material resulting from industrial, commercial, mining, and agricultural operations, and from community activities.
3. The term "disposal" as used herein shall mean the discharge, deposit, injection, dumping, spilling, leaking, or placing of any waste into or on any land or water.
4. The term "site" as used herein shall mean the parcel of land located along West Jefferson Avenue in Riverview, Michigan adjacent to the Detroit River which is the subject of the above-entitled law suit.
5. The term "BASF" as used herein shall mean BASF Wyandotte Corporation BASF America Corporation and BASF Aktiengesellschaft.

6. The term "document" as used herein shall mean the original (and every copy of any original which differs in any way from any original) of any written, recorded or graphic matter, however produced or reproduced, including but not limited to any book, pamphlet, binder, periodical, letter, memorandum, telegram, report, inter-office or intra-office communication, handwritten or other note, working paper, record, study, application, permit, engineering plan, chart, paper, survey, index, tape, disc, photograph, data sheet, computer printout, microfilm, microfiche, and all other memorials of any conversations, meetings and conferences, by telephone or otherwise, or any other means from which information may be obtained, to which the defendant has, will have, or has had access.

7. The term "relating to" as used herein shall mean directly or indirectly mentioning, describing, referring or pertaining to, involving in any way, being connected with, reflecting upon, or embodying a stated subject matter.

8. The term "identify" as used herein when used in reference to an individual, means to state his/her full name, present or last known residence (designate which), present or last known business affiliation and address (designate which), and job positions, title, job descriptions, and dates of employment with the indicated companies.

9. The term "identify" as used herein when used in reference to a company, corporation, proprietorship, partnership, association or organization, of any type, means to state its full name and present or last known headquarters address (designating which).

10. The term "identify" as used herein when used in reference to a document, means to state the nature or type of document; its date; the identify of its author and each signatory or person over whose name it was issued; the identity of all persons to whom it was addressed or distributed; and the general subject matter and content of the document.

INTERROGATORIES

1. Identify each company which is a predecessor of BASF Wyandotte or was acquired by or merged with BASF Wyandotte, and state the dates and conditions of such acquisition, merger or other transfer of interest.
2. Identify all documents relating to each acquisition, merger, or transfer of interest listed in response to interrogatory number 1.
3. Identify all past and present personnel of BASF having primary responsibility from the determination of waste disposal and storage practices and policies of BASF Wyandotte.
4. Identify all personnel of each company identified in response to interrogatory number 1 having primary responsibility for the determination of waste disposal and storage practices and policies of any such company from 1951 until present.
5. State the name and location of each facility or plant owned or operated by BASF Wyandotte and/or any company identified in response to interrogatory number 1, from 1951 until present.
6. List all products or chemicals produced at each of the facilities identified in response to interrogatory number 5 from 1951 until present, whether or not produced for developmental or experimental purposes, and indicate the facility at which each chemical was produced and the time period of such production.
7. Identify all BASF personnel having primary responsibility for the manufacture and/or processing of each chemical identified in interrogatory number 6, produced by BASF Wyandotte and indicate those chemicals for which each person is or has been responsible.
8. Identify all personnel of any company identified in response to interrogatory number 1 who had primary responsibility for the manufacture and/or processing of each chemical identified in response to interrogatory number 10 produced by such company, and indicate those chemicals for which each person is or has been responsible, from 1951 until present.
9. Identify all documents, including but not limited to process manuals or descriptions, relating to the production of each chemical identified in response to interrogatory number 6.
10. Identify all past or present BASF personnel and personnel of each or any company identified in response to interrogatory number 1 having knowledge of the disposal or storage of waste at the site.

11. Identify all documents relating to the disposal or storage of wastes at the site by BASF or other persons.

12. Identify all documents relating to the deposit of fill material or construction debris at the site from 1951 until present.

13. Identify all documents relating to the past or present condition of the site, including but not limited to:

a. documents relating to the hydrological and geological characteristics of the site.

b. documents relating to any and all sampling and analysis of soil, groundwater and/or surface water at the site.

14. Identify all persons who will be called by BASF as witnesses in connection with the trial of this matter who will testify as to the acts, transactions or occurrences set forth in BASF's answer and for each such witness describe with particularity and specificity, the subject matter of his or her testimony and identify any documents which may or will be introduced into evidence through his or her testimony.

15. Identify all persons who will be offered as expert witnesses on behalf of BASF in connection with this litigation, and for each such expert witness:

a. state the subject matter on which he or she is expected to testify;

b. state the substance of the facts and opinions to which he or she is expected to testify;

c. give a summary of the grounds for each opinion;

d. Identify any reports or other documents upon which he or she will rely in connection with his or her testimony or which will be utilized in the preparation of his or her testimony or will be introduced into evidence through his or her testimony;

e. Describe with particularity and specificity his or her quality to provide expert testimony.

RICHARD A. ROSSMAN
United States Attorney

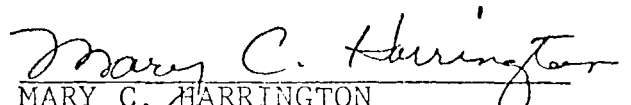
Geneva S. Halliday

GENEVA S. HALLIDAY (P28140)
Assistant United States Attorney
817 Federal Building
Detroit, Michigan 48226
(313) 226-3021

Dated: 5/28/81

CERTIFICATE OF SERVICE

This is to certify that I have served a copy of the foregoing First Interrogatories Of Palintiff United States To Defendant BASF Wyandotte upon Philip A. Grashoff, Jr., Esq., Dahlberg, Mallender & Gawne, 1022 Ford Building, Detroit, MI 48226, by depositing the same in the U.S. mail at Detroit, MI 48226 on May 28, 1981.


MARY C. HARRINGTON
Secretary, U.S. Attorney